

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

TERRY DANIEL,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NUMBER:
v.)	
)	3:05cv01110-WKW
CITY OF LANETT, ALABAMA,)	
)	
Defendant.)	

PLAINTIFF'S DAMAGES LIST

The plaintiff claims the following damages in this lawsuit:

1. Backpay to be computed on a quarterly basis from the time the Defendant denied Mr. Daniel a promotion to the position of Captain on December 13, 2004, to the date of his retirement on January 29, 2007, plus applicable interest calculated at NLRB rates. Mr. Daniel has attached hereto as Exhibit 1 three (3) lost wages charts which he intends on using as an exhibit and/or demonstrative aid during the trial of his case reflecting total lost wages, including statutory pre-judgment interest calculated by using the applicable NLRB interest rates, in the amount of \$17,010.57.

Mr. Daniel also seeks the value of his lost retirement benefits. Had Mr. Daniel received the promotion to Captain in December 2004, his retirement benefits would be calculated based on a Captain's rate of pay. He calculates the value of these lost benefits as being:

Retirement for Captain	\$2029.26/month
Daniel's Retirement	<u>- \$1576.73/month</u>
	\$ 452.53/month

If this case proceeds to trial on May 14, 2007 as scheduled, Mr. Daniel will have lost \$1583.85 in retirement benefits. Over ten (10) years he will lose \$54,303.60 in retirement benefits.

Ms. Daniel calculates the value of his total backpay to be **\$71,338.17**. Mr. Daniel has attached hereto as Exhibit 2 a total backpay calculation which he will use as an exhibit and/or demonstrative aid in the trial of this action.

2. Injunctive relief, including reinstatement, backpay, and/or a reasonable front pay;
3. Compensatory damages in the amount of \$50,000;
4. Nominal damages in the amount of \$1;
5. That relief which is fair, just and equitable under the circumstances of the case;
6. Pre-judgment and post-judgment interest;
5. A reasonable attorney's fee; and
6. The costs of this suit.

Respectfully submitted,

/s/Heather N. Leonard

Attorney for Plaintiff

Bar ID ASB-1152-O61H

HEATHER LEONARD, P.C.

2108 Rocky Ridge Road, Suite One

Birmingham, AL 35216

Telephone: (205) 978-7899

Facsimile: (205) 278-1400

E-mail: Heather@HeatherLeonardPC.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon all counsel of record on August 22, 2006, through the Court's CM/ECF system:

T. Randall Lyons
WEBSTER, HENRY & LYONS, P.C.
P.O. Box 239
Montgomery, AL 36101

/s/ Heather N. Leonard

Of Counsel